

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

ORIGINAL
FILE

In re Application of

CENTRAL FLORIDA EDUCATIONAL FOUNDATION,
INC.
Union Park, Florida

et al., including the
application of

HISPANIC BROADCAST SYSTEM, INC.
Lake Mary, FL
For Construction Permit, New
Noncommercial, Educational FM Stations

) MM Docket No. 92-3326
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) File No. BPED-881207MA
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) File No. BPED-891128ME
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To: Administrative Law Judge Edward J. Kuhlmann

RECEIVED

JUL 14 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

PROOF OF PUBLICATION

Hispanic Broadcast System, Inc. ("Hispanic"), by its counsel, herewith submits its proof of publication of hearing notice in the above-captioned proceeding. Notice was published in the Orlando Sentinel, the daily paper having greatest circulation in Lake Mary, on May 13, 20, and June 23, 24, 1992. Copies of the publisher's affidavits of publication are attached.

A waiver of the rules is requested in regard to the late filing of this proof and the dates of publication. The rules require publication twice a week for two consecutive weeks. When counsel discovered that the notice was published only once a week, he immediately requested the additional publication in June. No party will be unfairly prejudiced by this waiver. Adequate notice of the hearing has been received by this publication and the publication of the other four parties to the proceeding.

No. of Copies rec'd 0+5
List A B C D E

Respectfully submitted,

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Hispanic Broadcast System

By 
James L. Oyster
Counsel

CERTIFICATE OF SERVICE

James L. Oyster hereby certifies that he has sent a copy of the foregoing Proof of Publication by first class U.S. mail, postage prepaid, or by hand delivery, on or before the 10th day of July, 1992, to the following:

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Palm Bay Public Radio, Inc.
P.O. Box 1020
Palm Bay, FL 32963

The Orlando Sentinel

Published Daily
\$225.16

State of Florida } S.S.
COUNTY OF ORANGE

Before the undersigned authority personally appeared NOEMI R. LUCERO
who on oath says
that he/she is the Legal Advertising Representative of The Orlando Sentinel, a daily
newspaper published at ORLANDO in
ORANGE County, Florida;
that the attached copy of advertisement, being a NOTICE THE FEDERAL
in the matter of JULY 21, 1992

in the ORANGE Court,
was published in said newspaper in the issue; of 06/23/92, 06/24/92

Affiant further says that the said Orlando Sentinel is a newspaper published at
ORLANDO in said
ORANGE County, Florida,
and that the said newspaper has heretofore been continuously published in
said ORANGE County, Florida,
each Week Day and has been entered as second-class mail matter at the post
office in ORLANDO in said
ORANGE County, Florida,
for a period of one year next preceding the first publication of the attached
copy of advertisement; and affiant further says that he/she has neither paid
nor promised any person, firm or corporation any discount, rebate,
commission or refund for the purpose of securing this advertisement for
publication in the said newspaper.

The foregoing instrument was acknowledged before me this 24th day of
June, 19 92 by NOEMI R. LUCERO
who is personally known to me and who did take an oath.

(SEAL)

Juanita Rosado
JUANITA ROSADO
Juanita Rosado
Notary Public, State of Florida
My commission expires June 18, 1994

NOTICE

The Federal Communication Commission has designated for consolidated hearing the following applications for new FM stations in Florida: Bible Broadcast Network, Inc.; Channel 202C2; Conway Florida Central Florida Educational Foundation, Inc.; Channel 202C3; United Radio Florida; Palm Bay Radio, Inc.; Channel 202A; WFLA, Florida; Southwest Florida Community Radio, Inc.; Channel 202C4; Conway Florida Miss Community Radio, Inc.; Channel 202C5; Oak Hill Florida; and Hispanic Broadcast System, Inc.; Channel 202C6; Lake Mary, Florida. The hearing is scheduled to commence on July 21, 1992 at the Office of the FCC in Washington, D.C. The issues to be heard in the Commission's order of designation are as follows:

1. If a final environmental impact statement is issued with respect to the above mentioned applicants, in which it is concluded that the proposed facilities are likely to have an adverse effect on the quality of the environment, to determine whether the proposed stations are consistent with the National Environmental Policy Act of 1969, as amended, Section 1307(f)(1) of the Communications Act of 1934.
2. To determine: (a) the number of other services, commercial and non-commercial educational FM services available in the proposed service area of each applicant, and the area and population served thereby; (b) whether a shared time arrangement between the applicants would result in the most effective use of the frequency and time base for each of the stations; and (c) in light of Section 307(b) of the Communications Act of 1934, as amended, which of the proposals would best provide a fair, efficient and equitable distribution of radio service.
3. To determine, in the event it is concluded that a choice between the applications should not be based solely on considerations relating to Section 307(b), the extent to which each of the proposed operations will be integrated with the overall cultural and educational objectives of the respective applicants; and whether other factors in the record demonstrate that one applicant will provide a superior FM educational broadcast service.
4. To determine in light of the evidence adduced pursuant to the specified issues, which of the applications should be granted, if any.

A copy of the application, amendments and related material of Hispanic Broadcasting System, Inc. are on file for public inspection at: City of Lake Mary, 150 West Lake Mary Blvd., Lake Mary, Florida 32746.

The Orlando Sentinel

Published Daily

\$225.16

State of Florida } S.S.
COUNTY OF ORANGE

Before the undersigned authority personally appeared JUANITA ROSADO, who on oath says that he/she is the Legal Advertising Representative of The Orlando Sentinel, a daily newspaper published at ORLANDO in ORANGE County, Florida; that the attached copy of advertisement, being a NOTICE THE FEDERAL in the matter of JULY 21, 1992

in the ORANGE Court, was published in said newspaper in the issue; of 05/13/92, 05/20/92

Affiant further says that the said Orlando Sentinel is a newspaper published at ORLANDO in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each Week Day and has been entered as second-class mail matter at the post office in ORLANDO in said ORANGE County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

The foregoing instrument was acknowledged before me this 20 day of May, 19 92, by JUANITA ROSADO, who is personally known to me and who did take an oath.

NORMI R. LUCERO
(SEAL)

Notary Public, State of Florida
My commission expires August 28, 1994
Commission # CC042971

NOTICE

The Federal Communication Commission has designated for consolidated hearing the following applications for new FM stations in Florida: Bible Broadcasting Network, Inc., Channel 202C2, Conway, Florida; Central Florida Educational Foundation, Inc. Channel 202C3, Union Park, Florida; Palm Bay Public Radio, Inc., Channel 202A, Mims, Florida; Southwest Florida Community Radio, Inc., Channel 202C2, Conway, Florida; Mims Community Radio, Inc., Channel 202C1, Oak Hill, Florida; and Hispanic Broadcast System, Inc., Channel 202C3, Lake Mary, Florida. The hearing is scheduled to commence on July 21, 1992, at the offices of the FCC in Washington, D.C. The issues as listed in the Commission's order of Designation are as follows:

1. If a final environmental impact statement is issued with respect to the above-mentioned applications, the Commission concluded that the proposed facilities are likely to have an adverse effect on the quality of the environment, to determine whether the proposal is consistent with the National Environmental Policy Act, as implemented by Section 1.1301-1.319 of the Commission's Rules.

2. To determine: (a) the number of other reserved channel non-commercial educational FM services available in the proposed service area of each applicant, and the area and population served thereby; (b) whether a share-time arrangement between the applicants would result in the most effective use of the channel and thus better serve the public interest; and, if so, the terms and conditions thereof; and (c) in light of Section 307(b) of the Communications Act of 1934, as amended, which of the proposals would best provide a fair, efficient and equitable distribution of radio service.

3. To determine, in the event it is concluded that a choice should not be based solely on considerations relating to Section 307(b), the extent to which each of the proposed operations will be integrated into the overall cultural and educational objectives of the respective applicants; and whether other factors in the record demonstrate that one applicant will provide a superior FM educational broadcast service.

4. To determine in light of the evidence adduced pursuant to the specified issues, which of the applications should be granted, if any.

A copy of the application, amendments and related material of Hispanic Broadcasting System, Inc. are on file for public inspection at: City of Lake Mary, 100 West Lake Mary Blvd., Lake Mary, Florida 32745 during normal business hours.

COR5863009 May 13, 1992